

REMARKS/ARGUMENTS

1. The application was filed with Claims 1-20, and Claims 18-20 have been withdrawn from consideration by the Examiner pursuant to a restriction requirement. Claims 1-17 are presently pending in the application.

2. An amendment has been made to the specification, to the paragraph bridging pp. 6-7. The subject of a clause in a long sentence was inadvertently omitted, and has been corrected in this amendment. Support for the amendment, which does not add new matter, is found in the paragraph itself, in which the actions of the controller are described. Specification, p. 6, line 18, to p. 7, line 8.

3. The specification is objected to because the specification does not make mention of what constitutes "phase information," as recited in Claim 11, or "electronic integration function," as recited in Claim 9. Applicant points to the paragraph on p. 9 of the specification, lines 11-18. This paragraph refers to measurement of angular feedback, as would be received from an encoder on the shaft of a motor. Because DC motors are likely involved, it may be more correct to claim "angular information," rather than phase information. Claim 11 has been amended in a non-narrowing manner to recite "angular information." The amendment is not narrowing, because both "phase" and "angular" information refer to the revolutions of an object, such as an encoder. This amendment also overcomes the rejection under 35 U.S.C. § 112, second paragraph.

The paragraph also refers to an electronic integration function in line 16, which teaches "current integration over time on a capacitor." This is an electronic integration function because it uses a capacitor to integrate the accumulation of charge over time. No amendment is believed to be necessary for Claim 9. The Examiner is thanked for his attention to detail, and is requested to withdraw the objections to Claims 9 and 11 and the rejection of Claim 11.

4. Claim 16 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite because a harness cannot include a "zero" number of wires. Applicant has

amended Claim 16 to overcome the rejection. The Examiner is respectfully requested to withdraw the rejection of Claim 16 under 35 U.S.C. § 112, second paragraph.

5. Claims 1, 2, 6, 13, and 17 are objected to. Applicant has made the correction suggested by the Examiner for each of the objections, with the exception of Claim 6. This claim follows the proper format for Markush groups, shown in M.P.E.P. 2173.05(h). Antecedent basis has been corrected in Claim 6 for "a configuration." The Examiner is thanked for his assistance in making these non-narrowing corrections to Claims 1, 2, 6, 13, and 17.

6. The Office action rejects Claims 1-2, 4-6 and 8-18 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. 6,775,767 to Knut Hinrichs et al. ("Hinrichs"). Since Claim 18 has been withdrawn, Applicant interprets the rejection as encompassing Claims 1-2, 4-6, and 8-17. The rejection states that Hinrichs anticipates all the limitations of these claims. Hinrichs was filed on April 18, 2001. Applicant avers that the invention corresponding to the present application was invented prior to April 18, 2001. Applicant has prepared and signed a declaration of prior invention under 37 C.F.R. § 1.131. The declaration, attached at Appendix A, includes a redacted copy of a four-page Invention Disclosure form, prepared for their employer, the assignee of the present application, along with a signed and dated letter forwarding the disclosure to patent counsel, also prior to April 18, 2001.

Accordingly, Hinrichs is not available as a reference against this application and Applicant submits that Claims 1-2, 4-6, and 8-17 are allowable.

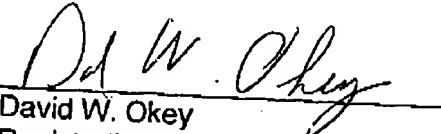
7. Claims 3 and 7 are also rejected under 35 U.S.C. § 103(a) as unpatentable in view of U.S. Pat. No. 6,775,767 to Hinrichs, as discussed above, alone or in combination with U.S. Pat. No. 5,350,983. Since Hinrichs is not available as a reference in this case, the rejection of Claims 3 and 7 is overcome. Applicant submits that Claims 3 and 7 are therefore allowable.

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8. The Examiner is respectfully requested to allow the claims of the present application. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,


David W. Okey
Registration No. 42,959
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200